

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY, MARYLAND

RACHEL DIVVER, Individually, and as
Personal Representative of the Estate of
Abigail Long
8509 Heathrow Court, Apt. C
Baltimore, MD 21236

and

JASON LONG, Individually
8509 Heathrow Court, Apt. C
Baltimore, MD 21236

Plaintiffs

vs.

Case Number: DB-C-11-5269

GREATER BALTIMORE MEDICAL
CENTER, INC.
6701 North Charles St.
Baltimore, MD 21204

SERVE: Robert P. Kowal
6701 North Charles St.
Baltimore, MD 21204

and

PERINATAL ASSOCIATES, LLC
6565 North Charles St., Suite 406
Baltimore, MD 21204

SERVE: Victor A. Khouzami, M.D.
6565 North Charles St., Suite 406
Baltimore, MD 21204

and

LILLIAN M. HUNTER, M.D.
6565 N. Charles St., Suite 406
Baltimore, MD 21204

and

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2011 MAY 26 PM 2:41

CLERK OF THE CIRCUIT COURT
BALTIMORE COUNTY

Joseph
Greenwald
& Laake, P.A.

6404 Ivy Lane • Suite 400
Greenbelt, Maryland 20770

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JOAN L. BLOMQUIST, M.D.
8508 Loch Raven Blvd., Suite A
Towson, MD 21286

and

GIA FIRTH, CNM
6701 North Charles St.
Baltimore, MD 21204

SERVE: Robert P. Kowal
6701 North Charles St.
Baltimore, MD 21204

Defendants

JURY DEMAND

The Plaintiffs hereby demand a jury as to all issues in this matter.

Respectfully submitted,

JOSEPH, GREENWALD & LAAKE, P.A.

BY:

Andrew E. Greenwald/Steven B. Vinick
Andrew E. Greenwald
Steven B. Vinick
6404 Ivy Lane, Suite 400
Greenbelt, MD 20770
(301) 220-2200

WARD & WARD, P.L.L.C.

BY:

Daniel S. Ward
Daniel S. Ward
2020 N Street, N.W.
Washington, D.C. 20036
(202) 331-8160

Counsel for Claimants

DATE: 5/23/11

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6025-11-7

Baltimore E.B.

Circuit Court for Baltimore County

City or County

CIVIL - NON-DOMESTIC CASE INFORMATION REPORT

DIRECTIONS:

Plaintiff: This Information Report must be completed and attached to the complaint filed with the Clerk of Court unless your case is exempted from the requirement by the Chief Judge of the Court of Appeals pursuant to Rule 2-111(a). A copy must be included for each defendant to be served.

Defendant: You must file an Information Report as required by Rule 2-323(h).

THIS INFORMATION REPORT CANNOT BE ACCEPTED AS AN ANSWER OR RESPONSE.

FORM FILED BY: PLAINTIFF DEFENDANT CASE NUMBER 02-C-11-5269
(Clerk to insert)

CASE NAME: Rachel Divver, et al vs. Greater Baltimore Medical Center, et al.
Plaintiff Defendant

JURY DEMAND: Yes No Anticipated length of trial: _____ hours or 7 days
 RELATED CASE PENDING? Yes No If yes, Case #(s), if known: _____

Special Requirements? Interpreter (Please attach Form CC-DC 41)
 ADA accommodation (Please attach Form CC-DC 49)

NATURE OF ACTION (CHECK ONE BOX)		DAMAGES/RELIEF	
TORTS <input type="checkbox"/> Motor Tort <input type="checkbox"/> Premises Liability <input type="checkbox"/> Assault & Battery <input type="checkbox"/> Product Liability <input checked="" type="checkbox"/> Professional Malpractice <input type="checkbox"/> Wrongful Death <input type="checkbox"/> Business & Commercial <input type="checkbox"/> Libel & Slander <input type="checkbox"/> False Arrest/Imprisonment <input type="checkbox"/> Nuisance <input type="checkbox"/> Toxic Torts <input type="checkbox"/> Fraud <input type="checkbox"/> Malicious Prosecution <input type="checkbox"/> Lead Paint <input type="checkbox"/> Asbestos <input type="checkbox"/> Other _____	LABOR <input type="checkbox"/> Workers' Comp. <input type="checkbox"/> Wrongful Discharge <input type="checkbox"/> EEO <input type="checkbox"/> Other _____ CONTRACTS <input type="checkbox"/> Insurance <input type="checkbox"/> Confessed Judgment <input type="checkbox"/> Other _____ REAL PROPERTY <input type="checkbox"/> Judicial Sale <input type="checkbox"/> Condemnation <input type="checkbox"/> Landlord Tenant <input type="checkbox"/> Other _____ OTHER <input type="checkbox"/> Civil Rights <input type="checkbox"/> Environmental <input type="checkbox"/> ADA <input type="checkbox"/> Other _____	A. TORTS Actual Damages <input type="checkbox"/> Under \$7,500 <input type="checkbox"/> \$7,500 - \$50,000 <input type="checkbox"/> \$50,000 - \$100,000 <input type="checkbox"/> Over \$100,000 <input type="checkbox"/> Medical Bills \$ _____ <input type="checkbox"/> Property Damages \$ _____ <input type="checkbox"/> Wage Loss \$ _____	B. CONTRACTS <input type="checkbox"/> Under \$10,000 <input type="checkbox"/> \$10,000 - \$20,000 <input type="checkbox"/> Over \$20,000 C. NONMONETARY <input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Injunction <input type="checkbox"/> Other _____

ALTERNATIVE DISPUTE RESOLUTION INFORMATION

Is this case appropriate for referral to an ADR process under Md. Rule 17-101? (Check all that apply)

A. Mediation Yes No
 B. Arbitration Yes No
 C. Settlement Conference Yes No
 D. Neutral Evaluation Yes No

TRACK REQUEST

With the exception of Baltimore County and Baltimore City, please fill in the estimated LENGTH OF TRIAL. THIS CASE WILL THEN BE TRACKED ACCORDINGLY.

1/2 day of trial or less
 1 day of trial time
 2 days of trial time
 3 days of trial time
 More than 3 days of trial time

PLEASE SEE PAGE TWO OF THIS FORM FOR INSTRUCTIONS PERTAINING TO THE BUSINESS AND TECHNOLOGY CASE MANAGEMENT PROGRAM AND COMPLEX SCIENCE AND/OR MEDICAL CASE MANAGEMENT PROGRAM (ASTAR), AS WELL AS ADDITIONAL INSTRUCTIONS IF YOU ARE FILING YOUR COMPLAINT IN BALTIMORE CITY, PRINCE GEORGE'S COUNTY, OR BALTIMORE COUNTY.

Date 5/23/11 Signature Andrew E. Newell

BUSINESS AND TECHNOLOGY CASE MANAGEMENT PROGRAM

For all jurisdictions, if Business and Technology track designation under Md. Rule 16-205 is requested, attach a duplicate copy of complaint and check one of the tracks below.

Expedited
Trial within 7 months
of Filing

Standard
Trial within 18 months
of Filing

EMERGENCY RELIEF REQUESTED

Signature _____

Date _____

**COMPLEX SCIENCE AND/OR MEDICAL CASE
MANAGEMENT PROGRAM (ASTAR)**

*FOR PURPOSES OF POSSIBLE SPECIAL ASSIGNMENT TO AN ASTAR RESOURCE JUDGE under Md. Rule 16-202.
Please check the applicable box below and attach a duplicate copy of your complaint.*

Expedited - Trial within 7 months of Filing

Standard - Trial within 18 months of Filing

IF YOU ARE FILING YOUR COMPLAINT IN BALTIMORE CITY, PRINCE GEORGE'S COUNTY, OR BALTIMORE COUNTY PLEASE FILL OUT THE APPROPRIATE BOX BELOW.

CIRCUIT COURT FOR BALTIMORE CITY (CHECK ONLY ONE)

Expedited Trial 60 to 120 days from notice. Non-jury matters.

Standard-Short Trial 210 days.

Standard Trial 360 days.

Lead Paint Fill in: Birth Date of youngest plaintiff _____

Asbestos Events and deadlines set by individual judge.

Protracted Cases Complex cases designated by the Administrative Judge.

CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY

To assist the Court in determining the appropriate Track for this case, check one of the boxes below. This information is not an admission and may not be used for any purpose other than Track Assignment.

Liability is conceded.

Liability is not conceded, but is not seriously in dispute.

Liability is seriously in dispute.

CIRCUIT COURT FOR BALTIMORE COUNTY

<input type="checkbox"/> Expedited (Trial Date-90 days)	Attachment Before Judgment, Declaratory Judgment (Simple), Administrative Appeals, District Court Appeals and Jury Trial Prayers, Guardianship, Injunction, Mandamus.
<input type="checkbox"/> Standard (Trial Date-240 days)	Condemnation, Confessed Judgments (Vacated), Contract, Employment Related Cases, Fraud and Misrepresentation, International Tort, Motor Tort, Other Personal Injury, Workers' Compensation Cases.
<input checked="" type="checkbox"/> Extended Standard (Trial Date-345 days)	Asbestos, Lender Liability, Professional Malpractice, Serious Motor Tort or Personal Injury Cases (medical expenses and wage loss of \$100,000, expert and out-of-state witnesses (parties), and trial of five or more days) State Insolvency.
<input type="checkbox"/> Complex (Trial Date-450 days)	Class Actions, Designated Toxic Tort, Major Construction Contracts, Major Product Liabilities, Other Complex Cases.

July

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RACHEL DIVVER, Individually, and as
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Abigail Long
8509 Heathrow Court, Apt. C
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JASON LONG, Individually
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Plaintiffs

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GREATER BALTIMORE MEDICAL
CENTER, INC.
6701 North Charles St.
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SERVE: Robert P. Kowal
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PERINATAL ASSOCIATES, LLC
6565 North Charles St., Suite 406
Baltimore, MD 21204

SERVE: Victor A. Khouzami, M.D.
6565 North Charles St., Suite 406
Baltimore, MD 21204

and

LILLIAN M. HUNTER, M.D.
6565 N. Charles St., Suite 406
Baltimore, MD 21204

and

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& Laake, P.A.

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CLERK OF THE CIRCUIT COURT
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dis

JOAN L. BLOMQUIST, M.D.
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Towson, MD 21286

and

GIA FIRTH, CNM
6701 North Charles St.
Baltimore, MD 21204

SERVE: Robert P. Kowal
6701 North Charles St.
Baltimore, MD 21204

Defendants

COMPLAINT

COME NOW, the Plaintiffs, RACHEL DIVVER, Individually and as Personal Representative of the Estate of Abigail Long, and JASON LONG, Individually, by and through counsel, Andrew E. Greenwald, Steven B. Vinick, and the law offices of Joseph, Greenwald & Laake, P.A., and sue the Defendants, GREATER BALTIMORE MEDICAL CENTER, INC., PERINATAL ASSOCIATES, LLC., AND LILLIAN M. HUNTER, M.D., JOAN L. BLOMQUIST, M.D., AND GIA FIRTH, CNM, and for cause therefore state as follows:

JURISDICTION

1. The amount of this claim exceeds \$30,000.00 and/or exceeds the jurisdictional limit of the District Court of Maryland.
2. Venue for this claim is proper in Baltimore County, Maryland.
3. The action is timely brought.
4. The above-titled action was originally filed before the Health Care Alternative Dispute Resolution Office on April 6, 2011 as case number 2011-195.

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Pursuant to §3-2A-06B of the Courts and Judicial Proceedings Article of the Maryland Annotated Code, Plaintiffs filed an Election to Waive Arbitration on or about April 6, 2011. Having waived arbitration, the Plaintiffs now file this claim before this Honorable Court.

PARTIES

5. The Plaintiff, RACHEL DIVVER, is an adult female who resides at 8509 Heathrow Court, Apartment C, Baltimore, Maryland, 21236 and is the natural mother of the decedent, Abigail Long.

6. The Plaintiff, RACHEL DIVVER, is the Personal Representative of the Estate of Abigail Long, having been appointed by the Circuit Court of Baltimore County on 13th day of August, 2010. A copy of the Letters of Administration is attached.

7. The Plaintiff, JASON LONG, is an adult male who resides at 8509 Heathrow Court, Apartment C, Baltimore, Maryland, 21236 and is the natural father of the decedent, Abigail Long.

8. On information and belief, the Defendant, GREATER BALTIMORE MEDICAL CENTER, INC., is a professional corporation engaged in the business of providing medical care and treatment to patients in the State of Maryland. GREATER BALTIMORE MEDICAL CENTER, INC. held itself out to the community, in general, and in particular to the Plaintiff, as a hospital/health care provider that was fully equipped to handle any and all obstetric deliveries and emergencies, and that it had properly trained physicians, nurses, midwives and other specialists on its premises at all times who were capable of performing obstetric management and deliveries and managing obstetric complications.

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9. All of the physicians, nurses, clerks and technicians who provided care to RACHEL DIVVER at all times relevant herein when she was a patient at the hospital were the real or apparent agents, servants and/or employees of GREATER BALTIMORE MEDICAL CENTER, INC. and were acting within the scope of their employment with GREATER BALTIMORE MEDICAL CENTER, INC. and in furtherance of its business. Accordingly, GREATER BALTIMORE MEDICAL CENTER, INC. is liable for the negligence and the tortious acts and omissions of all such individuals.

10. GREATER BALTIMORE MEDICAL CENTER, INC. is liable for the negligent acts and omissions of its physicians, including but not limited to JOAN L. BLOMQUIST and its nurses, physicians assistants and other agents, servants and employees including but not limited to GIA FIRTH, CNM. GREATER BALTIMORE MEDICAL CENTER, INC.'s liability also extends to any apparent agents whom it represents as, or holds out as, its employees.

11. On information and belief, the Defendant, PERINATAL ASSOCIATES, LLC, is a professional corporation engaged in the business of providing medical care and treatment to patients in the State of Maryland.

12. PERINATAL ASSOCIATES, LLC is liable for the negligent acts and omissions of its physicians, including LILLIAN M. HUNTER, M.D. PERINATAL ASSOCIATES, LLC's liability also extends to any apparent agents whom it represents as, or holds out as, its employees.

13. The Defendant, LILLIAN M. HUNTER, M.D., is a physician, duly licensed as such in the State of Maryland, who, at all times relevant to this action was an employee, agent, and/or servant, either actual or apparent, of Defendant PERINATAL ASSOCIATES,

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LLC. At all times relevant to this action, she was acting within the scope of her employment in rendering care to RACHEL DIVVER. As such, PERINATAL ASSOCIATES, LLC, is responsible for the negligent acts or omissions of LILLIAN M. HUNTER, M.D.

14. The Defendant JOAN L. BLOMQUIST, M.D. is an obstetrician duly licensed as such in the State of Maryland, who, at all times relevant to this action was an employee, agent, and/or servant, either actual or apparent, of Defendant GREATER BALTIMORE MEDICAL CENTER, INC. At all relevant times to this action, she was acting within the scope of her employment in rendering care to RACHEL DIVVER.

15. The Defendant GIA FIRTH, CNM, is a certified nurse midwife who at all times relevant to this action was an employee, agent and/or servant either actual or apparent of the Defendant GREATER BALTIMORE MEDICAL CENTER, INC. At all relevant times to this action, she was acting within the scope of her employment in rendering care to RACHEL DIVVER.

COUNT I
(Medical Malpractice Claim of Rachel Divver)

16. Plaintiff RACHEL DIVVER adopts and incorporates by reference the allegations contained in paragraphs 1 through 15 of this Complaint with the same effect as if herein fully set forth.

17. On February 2, 2009, Plaintiff RACHEL DIVVER became a patient of Defendant LILLIAN M. HUNTER, M.D. and PERINATAL ASSOCIATES, LLC for management of her pregnancy.

18. Plaintiff RACHEL DIVVER had an unremarkable pregnancy until July 25, 2009 (39 weeks and five days) when her blood pressure was found to be 156/94 and she was sent to the Labor and Delivery unit at Defendant GREATER BALTIMORE MEDICAL CENTER,

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INC. for pregnancy induced hypertension, where RACHEL DIVVER was monitored and released. RACHEL DIVVER was also found to have bilateral lower extremity 2+ edema, headache and right upper quadrant abdominal pain, and her reflexes were 2+. Then RACHEL DIVVER was monitored and released.

19. On July 26, 2009, (40 weeks) RACHEL DIVVER returned to Defendant GREATER BALTIMORE MEDICAL CENTER, INC. with a complaint of a high blood pressure reading at a retail establishment. RACHEL DIVVER reported her blood pressure to be 154/110 and then 154/96. RACHEL DIVVER was also found to have bilateral lower extremity 2+ edema. RACHEL DIVVER was monitored and released.

20. On July 27, 2009, (40 weeks and one day), RACHEL DIVVER was seen in the office of Defendant LILLIAN M. HUNTER, M.D. and PERINATAL ASSOCIATES, LLC where her blood pressure was found to be 144/96, and then 140/90. Her edema, fetal movement, fundal height and fetal heart rate were not recorded. She was sent home to continue bed rest.

21. On July 29, 2009 (40 weeks and 2 days), RACHEL DIVVER had a non-stress test performed at the Defendant PERINATAL ASSOCIATES, LLC. At this time, she was noted to be hypertensive, with a BP of 142/96 while sitting.

22. Also on July 29, 2009, RACHEL DIVVER was again seen at Defendant PERINATAL ASSOCIATES, LLC. A biophysical profile was done, with the fetus receiving a total score of 6/8. Additionally, the AFI was noted to be decreased, at 4.5 (normal for 39-40 weeks should be 9.2-18.8). RACHEL DIVVER was sent to labor and delivery for induction.

23. On July 30, 2009, RACHEL DIVVER suffered a maternal seizure.

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24. A female infant, Abigail Long, was born. Abigail Long was pale and limp with no respiratory effort and had meconium-stained amniotic fluid. She was resuscitated, intubated, and sent to the NICU. Shortly thereafter, she was transferred to The Johns Hopkins Hospital.

25. RACHEL DIVVER was subsequently transferred to The Johns Hopkins Hospital as well to be with her newborn daughter.

26. On August 6, 2009, the Plaintiffs' infant daughter expired.

27. Defendants GREATER BALTIMORE MEDICAL CENTER, INC., and their agents, servants and employees, all of whom were acting within the course and scope of their employment, PERINATAL ASSOCIATES, LLC, and their agents, servants and employees, all of whom were acting within the course and scope of their employment, LILLIAN M. HUNTER, M.D., JOAN BLOMQUIST and GIA FIRTH, CNM, had a duty to exercise that degree of care and skill exercised by other health care providers, hospitals, physicians, midwives and nurses with similar training and experience and situated in the same or similar communities and caring for patients under the same or similar circumstances.

28. Defendants GREATER BALTIMORE MEDICAL CENTER, INC., and their agents, servants and employees, all of whom were acting within the course and scope of their employment, PERINATAL ASSOCIATES, LLC, and their agents, servants and employees, LILLIAN M. HUNTER, M.D., JOAN L. BLOMQUIST, M.D., and GIA FIRTH, CNM, all of whom were acting within the course and scope of their employment, failed to exercise reasonable care and skill and breached the standard of care with the following acts or omissions:

- (a) failure to appropriately manage RACHEL DIVVER's pregnancy induced hypertension;

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- (b) failure to appropriately diagnose and treat RACHEL DIVVER's pregnancy induced hypertension prior to her delivery;
- (c) failure to prescribe anti-hypertensive medications to RACHEL DIVVER prior to her delivery;
- (d) failure to recognize the symptoms of pregnancy induced hypertension exhibited by RACHEL DIVVER, including, but not limited to, headache and right upper quadrant pain;
- (e) failure to recognize pregnancy induced hypertension and edema as risk factors for maternal seizures;
- (f) failure to recognize the deleterious condition of the fetus during labor and immediately deliver the baby;
- (g) failure to timely deliver the decedent Abigail Long;
- (h) failure to appropriately manage labor and delivery;
- (i) failure to appropriately communicate with the health care providers about the condition of the mother and the baby to ensure fetal and mother well-being.
- (j) as well as committing other breaches of the standard of care and acts of negligence.

29. This negligence was a breach by the above-named Defendants of the applicable standard of care.

30. As the direct and proximate result of the aforesaid negligence and breaches of the standard of care, as well as other acts of negligence and breaches of the standard of care by the Defendants, GREATER BALTIMORE MEDICAL CENTER, INC., and their agents, servants and employees, both actual and apparent, PERINATAL ASSOCIATES, LLC, and

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their agents, servants and employees, both actual and apparent, LILLIAN M. HUNTER, M.D, JOAN L. BLOMQUIST, M.D., and GIA FIRTH, CNM, Claimant RACHEL DIVVER was seriously, painfully injured; caused to undergo medical treatment for the care of said injuries, and suffered seizures as well as other damages.

31. That at all times prior to the delivery the decedent was attached to and part of Plaintiff RACHEL DIVVER and all injuries to the decedent were also injuries to RACHEL DIVVER .

32. As the direct and proximate result of the aforesaid negligence and breaches of the standards of care, as well as other acts of negligence and breaches of the standards of care by the Health Care Providers, Plaintiff RACHEL DIVVER suffered a seizure, suffered the death of her infant daughter, was caused to undergo extreme physical pain and suffering and mental anguish, and was caused to incur additional and otherwise unnecessary costs and expenses.

33. The Plaintiff, RACHEL DIVVER, also alleges that she will continue in the future to endure great pain and physical suffering, mental anguish and other damages.

34. It is alleged that all damages, injuries and losses-past, present and prospective-were caused by the negligent acts and omissions of the Defendants, GREATER BALTIMORE MEDICAL CENTER, INC., their agents, servants and employees, both actual and apparent, PERINATAL ASSOCIATES, LLC, their agents, servants and employees, both actual and apparent, LILLIAN M. HUNTER, M.D, JOAN L. BLOMQUIST, M.D., and GIA FIRTH, CNM, and their agents, servants and employees, both actual and apparent, as set forth above, without any negligence or want of due care on the part of the Plaintiffs.

WHEREFORE, the above premises considered, the Plaintiff, RACHEL DIVVER, Individually, demands judgment against the Defendants, GREATER BALTIMORE

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MEDICAL CENTER, INC., PERINATAL ASSOCIATES, LLC, LILLIAN M. HUNTER, M.D., JOAN L. BLOMQUIST, M.D., and GIA FIRTH, CNM individually, jointly and severally, for monetary damages, together with the costs of this action, which damages exceed \$30,000 and/or are greater than the limit of the concurrent jurisdiction of the District Court.

COUNT II
(Wrongful Death Claim)

35. Plaintiffs RACHEL DIVVER and JASON LONG, as parents of Abigail Long, deceased, adopt and incorporate by reference the allegations contained in paragraphs 1 through 34 of this Complaint with the same effect as if herein fully set forth.

36. As the natural mother and father of the decedent, Abigail Long, Plaintiffs RACHEL DIVVER and JASON LONG were caused to lose the services of their minor child, have incurred extensive bills for hospital care, medical care, physical care, special education and training, have lost time from work, have suffered mental anguish and pain and suffering, as well as other damages. Moreover, they have been deprived of their daughter's love, companionship, society, comfort, affection and attention. All of the Plaintiffs' injuries are alleged to be permanent in nature.

WHEREFORE, Plaintiffs RACHEL DIVVER and JASON LONG, individually, and RACHEL DIVVER, as Personal Representative of the Estate of Abigail Long, and pursuant to the Wrongful Death Act, Courts and Judicial Proceedings Article, §3-901-9*04, Annotated Code of Maryland, as amended, demand judgment against the Defendants, GREATER BALTIMORE MEDICAL CENTER, INC., PERINATAL ASSOCIATES, LLC, LILLIAN M. HUNTER, M.D., JOAN L. BLOMQUIST, M.D., and GIA FIRTH, CNM individually, jointly and severally, for monetary damages, together with the costs of this action, which

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damages exceed \$30,000 and/or are greater than the limit of the concurrent jurisdiction of the District Court.

COUNT III
(Survivorship Action)

37. The Plaintiff RACHEL DIVVER as Personal Representative of the Estate of decedent, Abigail Long adopts and incorporates by reference the allegations contained in paragraphs 1 through 36 of this Complaint with the same effect as if herein fully set forth.

38. As a direct and proximate result of the negligence of all the Defendants, the Estate of Abigail Long has suffered damages including but not limited to medical and hospital expenses, the cost of funeral expenses, medical bills and other related costs.

39. It is further alleged that as a direct and proximate result of the negligence of all the Defendants, said negligence having been stated above, Abigail Long was caused to suffer prior to her death severe, permanent and overwhelming damages including, but not limited to, conscious physical pain and suffering, brain injury, loss of enjoyment of life, and lost wages, funeral and other associated expenses, medical and other related expenses as well as other damages.

40. It is alleged that all damages, injuries and losses were caused solely by the negligent acts of the Defendants, as set forth above, without any negligence or want of due care on the part of the decedent and/or the part of the Plaintiffs.

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WHEREFORE, Plaintiff RACHEL DIVVER as Personal Representative of the Estate of Abigail Long, demands judgment against the Defendants, GREATER BALTIMORE MEDICAL CENTER, INC., PERINATAL ASSOCIATES, LLC, LILLIAN M. HUNTER, M.D., JOAN L. BLOMQUIST, M.D., and GIA FIRTH, CNM individually, jointly and severally, for monetary damages, together with the costs of this action, which damages exceed \$30,000 and/or are greater than the limit of the concurrent jurisdiction of the District Court.

Respectfully submitted,

JOSEPH, GREENWALD & LAAKE, P.A.

BY:

Andrew E. Greenwald / Steven B. Vinick
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Steven B. Vinick
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WARD & WARD, P.L.L.C.

BY:

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Daniel S. Ward
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Counsel for Claimants

DATE: 5/23/11

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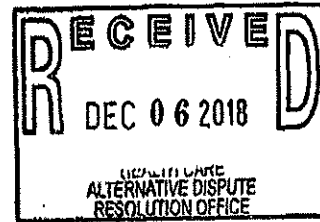
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Case: 03-C-11-005269
CF-Civil Fil
\$68.00
Appearance Fee \$10.30
Appearance Fee \$18.90
NLSC \$55.00
TOTAL \$155.00

COMMENT:
Rachel Dwyer et al
VS
Greater Baltimore Medical
Center et al

Receipt #201109013915
Cashier: WAB CCBACDX301
05/26/11 2:54pm

Jonathan Schochor, Esquire
Schochor, Federico, and Staton, P.A.
1211 St. Paul Street
Baltimore, Maryland 21202



Re: Grayson Hundt, Minor

Dear Mr. Schochor:

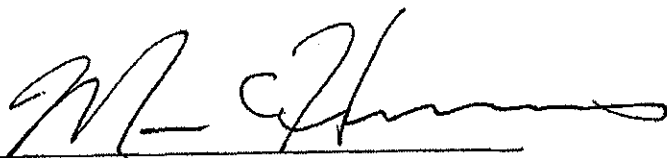
It is my understanding that the Claimants' standard of care expert has opined that there were breaches and/or violations in the standards of care by Margaret A. Cyzeski, M.D., Harrold T. Elberfeld, M.D. and duly authorized agents, servants and/or employees of Perinatal Associates, LLC and Greater Baltimore Medical Center, Inc. It is my opinion that those breaches have directly and proximately resulted in injuries and damages to the Minor Claimant.

This is to acknowledge that after a review of the medical records and other materials involved in the above-referenced case, I have concluded that the Minor Claimant suffered cardiac arrest, bilateral intracranial hemorrhages, extensive hospitalizations and other injuries that are the direct and proximate result of extreme prematurity. Had the Defendants complied with the standards of care, the Minor Claimant would have been delivered at a later gestational age which, more likely than not, would have prevented the injuries and damages referenced hereinabove.

I certify that I am a board-certified expert in neonatology. I further certify that I have had clinical experience, provided consultation relating to clinical practice and/or taught medicine in the Defendants' specialty or a related field of health-care, or in the field of health care in which the Defendants provided care or treatment to the Claimant, within five (5) years of the date of the alleged act or omission giving rise to the cause of action.

Accordingly, I have concluded that the case filed before the Health Care Alternative Dispute Resolution Office of Maryland is meritorious. I also acknowledge that less than 20% of my annual professional time directly involves testimony in personal injury claims.

This report represents a broad summary of my opinions for purposes of certifying the merit of this matter. I specifically reserve the right to modify, amend and/or supplement my opinions as further information about this case is made available to me through the discovery process.



Marcus Hermansen, M.D.

HEATHER HUNDT and MICHAEL
HUNDT, Parents and Next Friends of
GRAYSON HUNDT, Minor

Claimants

v.

MARGARET ANN CYZESKI, M.D., et al.

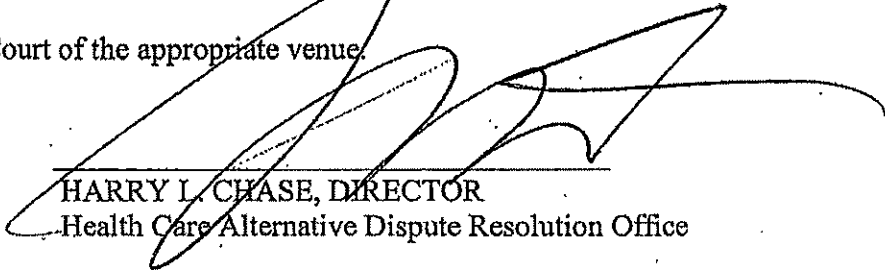
Health Care Providers

* BEFORE THE
* HEALTH CARE
* ALTERNATIVE DISPUTE
* RESOLUTION OFFICE
* HCA No.: 2018-596

ORDER OF TRANSFER

The Claimants, by and through counsel, having elected a Waiver of Arbitration under the provisions of Annotated Code of Maryland, Courts and Judicial Proceedings, Article, § 3-2A-06B, it is this 20 day of June, 2018, by the Health Care Alternative Dispute Resolution Office,

ORDERED, that this case shall be and is hereby, transferred to the United States District Court, or to the Circuit Court of the appropriate venue.


HARRY L. CHASE, DIRECTOR
Health Care Alternative Dispute Resolution Office

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the above ORDER OF TRANSFER have been mailed, postage prepaid, to all counsel.


HARRY L. CHASE, DIRECTOR